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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

HUSSEIN S. HUSSEIN, an individual,  
  
Plaintiff,  
  
v.  
  
UNIVERSITY AND COMMUNITY  
COLLEGE SYSTEM OF NEVADA, et  
al.,  
  
Defendants.

3:04-CV-0455 JCM (GWF)

**ORDER**

Presently before the court is defendants' notice (doc. #958) of withdrawal of fee motion (doc. #662). A hearing on the motion is currently scheduled for August 9, 2012, at 10:00am.

The tortured path of this long-running case is well known to the court and the parties. A short summary of the various appeals and remands is contained in defendants' notice and the court need not recount the proceedings in any detail. Suffice it to say, defendants feel the benefit of possibly prevailing in their motion for fees is outweighed by the prospects of another round of appeals. In light of defendants' withdrawing their pending fee motion, the court finds it appropriate to vacate the August 9 hearing.

The only remaining item to be addressed at the now vacated hearing was to be defendants' motion for the release of the cash deposit for the first contempt order (doc. #953). In light of plaintiff's failure to file any opposition to that motion, the court finds it appropriate to grant the

1 motion in full without holding a hearing. *See* Local Rule 7-4(d).

2 IT IS SO ORDERED.

3 DATED July 26, 2012.

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UNITED STATES DISTRICT JUDGE

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